

EXHIBIT D



JAMES, VERNON & WEEKS, P.A.

1626 Lincoln Way
Coeur d'Alene, ID 83814
Telephone: (208) 667-0683
Facsimile: (208) 664-1684

CONFIDENTIALITY NOTICE: This e-mail and attachments accompanying it contain information belonging to the sender, which is legally privileged. The information is intended only for the use of the individual or entity stated in this e-mail. If you are not the intended recipient, you are hereby notified that any disclosure, copying distribution or the taking of any action in reliance on the contents of this e-mail or attachments is strictly prohibited. If you have received this e-mail in error, please immediately notify us by e-mail or telephone (collect, if necessary) to arrange for disposition of the original.

From: Carla Varriale-Barker <CVarriale@SMSM.com>

Sent: Thursday, March 14, 2024 5:00 PM

To: leah forster <lilatunes@gmail.com>

Cc: Leander James <ljames@jvwlaw.net>; Troy A. Pacella <TPacella@SMSM.com>; atwersky@twerskylaw.com; Lucia Saitta <lucia@jvwlaw.net>; Ilana Neufeld <ineufeld@twerskylaw.com>; mguttmann@twerskylaw.com; jlowe@twerskylaw.com; Kimberly Connolly <KConnolly@SMSM.com>

Subject: Re: Sokolovsky - Non-Party Witness Deposition of Leah Forster

Please provide all of that and the communications specified in the rider as soon as possible-we cannot complete your deposition without the completed search and production.

Leander -if you have the detailed email referenced below please provide it to us tomorrow.

Thank you all.

Sent from my iPhone

On Mar 14, 2024, at 7:56 PM, leah forster <lilatunes@gmail.com> wrote:

Hi all !

I emailed Leah all the records i have of money transactions- it was very difficult to go back and find specifics. She has a detailed email from me with a breakdown as best as I can procure

I am outting together messages from appel and asher.

I have no idea who chiam is- i dont remember

On Thu, Mar 14, 2024, 7:44 PM Leander James <ljames@jvwlaw.net> wrote:

Dear Ms. Forester,

I represent Ms. Leah Sokolovsky. For what it is worth, I encourage you to produce the documents requested below to the extent you have them. If there is an undue burden on you to do so, perhaps you can coordinate with Ms. Varriale-Barker for her clients to assist in that regard.

Respectfully,

Leander L. James, of the firm

JAMES, VERNON & WEEKS, P.A.

Helping people solve problems®

Inland Northwest Office

1626 LINCOLN WAY

COEUR D'ALENE, ID 83814

Telephone: (208) 667-0683

Toll-Free: (888) 667-0683

Facsimile: (208) 664-1684

New York City Office

7th Floor

20 Vesey Street

New York, NY 10007

Telephone: (347) 852-8061

Toll-Free: (888) 667-0683

Facsimile: (208) 664-1684

Rochester New York Office
500 Canal View Boulevard

Suite 600
Rochester, New York 14623

Telephone: (347) 852-8061

Toll-Free: (888) 667-0683

Facsimile: (208) 664-1684

e-mail: ljames@jvwlaw.net

Facebook: <https://www.facebook.com/leander.james.7>

Home Page: <http://www.jvwlaw.net/>

CONFIDENTIALITY NOTICE: This e-mail and attachments accompanying it contain information belonging to the sender, which may be legally privileged or subject to the work product doctrine. The information is intended only for the use of the individual or entity stated in this e-mail. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this e-mail or attachments is strictly prohibited. If you have received this e-mail in error, please immediately notify us by e-mail or telephone (collect, if necessary) to arrange for disposition of the original.

From: Troy A. Pacella <TPacella@SMSM.com>
Sent: Thursday, March 14, 2024 1:44 PM
To: leah forster <lilatunes@gmail.com>; Carla Varriale-Barker <CVarriale@SMSM.com>
Cc: atwersky@twerskylaw.com; Lucia Saitta <lucia@jvwlaw.net>; Ilana Neufeld <ineufeld@twerskylaw.com>; Leander James <ljames@jvwlaw.net>; mguttmann@twerskylaw.com; jlowe@twerskylaw.com; Kimberly Connolly <KConnolly@SMSM.com>
Subject: RE: Sokolovsky - Non-Party Witness Deposition of Leah Forster

Ms. Forster,

Our office has since sought relief from the Court with respect to the documents requested within Exhibit A annexed to the subpoena provided by our office.

Within your deposition testimony you indicated that you are in possession of documents responsive to our requests. To date we have not received such documents.

Despite your claims of providing all documents to Plaintiff's attorney, we again request that you conduct a search of your records and provide our office with any responsive documents. This includes, but is not limited to the following:

- **Recent Communications with the Plaintiff:** All recent communications between yourself and the Plaintiff through WhatsApp and text messages, as referenced on pages 12, 13, 15, and 79 of your deposition transcript.
- **Payments to the Plaintiff:** As discussed on pages 44-45 of your deposition, we request records of any payments sent to the Plaintiff via Venmo, CashApp, or similar platforms.
- **Plaintiff's Therapy or Prescription Payments:** Please provide records of any payments made for the Plaintiff's therapy or prescriptions, as noted on pages 48-50 of your deposition.
- **Communications with Asher Lovy:** All communications you have had with Asher Lovy, as requested on pages 87-89 of your deposition.
- **Communications with Izzy Appel:** Please provide records of any communications with Izzy Appel as requested on page 95 of your deposition transcript.
- **Communications with Chiam:** Finally, communications with Chiam, as requested on pages 108-109 of your deposition.

Should you have any questions regarding our requests please do not hesitate to contact me at any time.

Troy A. Pacella | Associate Attorney

212.651.7413 Direct | TPacella@SMSM.com

From: Troy A. Pacella

Sent: Wednesday, February 21, 2024 9:46 AM

To: 'leah forster' <lilatunes@gmail.com>; Carla Varriale-Barker <CVarriale@SMSM.com>

Cc: Darren Sammarco <DSammarco@SMSM.com>; atwersky@twerskylaw.com; Lucia Saitta <lucia@jvwlaw.net>; Ilana Neufeld <ineufeld@twerskylaw.com>; lames@jvwlaw.net; mguttmann@twerskylaw.com; jlowe@twerskylaw.com

Subject: RE: Sokolovsky - Non-Party Witness Deposition of Leah Forster

Ms. Forster,

I am following up regarding your search for the documents identified in Exhibit "A" to the subpoena you received. I am enclosing a copy, once again, for your review. Despite our previous requests, we have yet to receive responsive documents, save for access to "thetruthofherstory@gmail.com."

Please conduct a search and provide all relevant documents to our office, regardless of what you believe you previously produced to the Plaintiff's attorney.

This is a good faith effort to obtain the requested documents and your failure to comply by Monday, February 26 will result in our office seeking the court's intervention.

Should you have any questions regarding the requested documents please do not hesitate to contact me at any time.

Troy A. Pacella | Associate Attorney

212.651.7413 Direct | TPacella@SMSM.com

From: leah forster <lilatunes@gmail.com>
Sent: Monday, February 12, 2024 1:15 PM
To: Carla Varriale-Barker <CVarriale@SMSM.com>
Cc: Troy A. Pacella <TPacella@SMSM.com>; Darren Sammarco <DSammarco@SMSM.com>; atwersky@twerskylaw.com; Lucia Saitta <lucia@jvwlaw.net>; Ilana Neufeld <ineufeld@twerskylaw.com>; ljames@jvwlaw.net; mguttmann@twerskylaw.com; jlowe@twerskylaw.com
Subject: Re: Sokolovsky - Non-Party Witness Deposition of Leah Forster

Confirming.

Also regarding documentation

Dorina has anything you need regarding our history of payments and any and all of my communication with her.

I also don't know how you want me to send you my communication with Asher- they were mostly thru whatsapp and i dont back my messages up. I have some old facebook messages, do u want screenshots ?

Also please send me a link for tmrw. Thanks.

On Mon, Feb 12, 2024, 12:02 PM Carla Varriale-Barker <CVarriale@smsm.com> wrote:

Kindly confirm so the parties can plan accordingly.

Carla Varriale-Barker (*she/her/hers*) | Shareholder

212.651.7437 Direct | cvarriale@smsm.com

From: Troy A. Pacella <TPacella@SMSM.com>

Sent: Monday, February 12, 2024 11:43 AM

To: leah forster <lilatunes@gmail.com>

Cc: Carla Varriale-Barker <CVarriale@SMSM.com>; Darren Sammarco <DSammarco@SMSM.com>; atwersky@twerskylaw.com; Lucia Saitta <lucia@jvwlaw.net>; Ilana Neufeld <ineufeld@twerskylaw.com>; ljames@jvwlaw.net; mguttmann@twerskylaw.com; jlowe@twerskylaw.com

Subject: RE: Sokolovsky - Non-Party Witness Deposition of Leah Forster

Ms. Forster:

The deposition is scheduled to begin at 10:00 a.m. and will likely continue throughout the entirety of the day. We will check the transcript of your prior deposition, but I believe there is approximately five hours of time remaining for the continued deposition.

Additionally, please advise on the status of the documents requested within Exhibit A and the prior emails sent to your email address.

Thank you,

Troy A. Pacella | Associate Attorney

212.651.7413 Direct | TPacella@SMSM.com

From: leah forster <lilatunes@gmail.com>

Sent: Monday, February 12, 2024 11:22 AM

To: Troy A. Pacella <TPacella@SMSM.com>

Subject: Re: Sokolovsky - Non-Party Witness Deposition of Leah Forster

— —

Hello. Checking in. What time Am i needed tmrw

On Mon, Jan 8, 2024, 2:58 PM leah forster <lilatunes@gmail.com> wrote:

Yes im available . I took off all work day

On Mon, Jan 8, 2024, 2:33 PM Troy A. Pacella <TPacella@smsm.com> wrote:

Ms. Forster,

Please advise on your availability on February 13, 2024, for your continued deposition in this matter.

If this date does not work for your schedule, please provide alternative dates where you can accommodate the continued deposition.

Should you have any questions, please do not hesitate to contact me at any time.

Troy A. Pacella | Associate Attorney

212.651.7413 Direct | TPacella@SMSM.com

From: Troy A. Pacella
Sent: Thursday, January 4, 2024 3:10 PM
To: leah forster <lilatunes@gmail.com>
Cc: Darren Sammarco <DSammarco@SMSM.com>; atwersky@twerskylaw.com; jlowe@twerskylaw.com; mguttmann@twerskylaw.com; Lucia Saitta <lucia@jvwlaw.net>; ljames@jvwlaw.net; Carla Varriale-Barker <CVarriale@SMSM.com>
Subject: RE: Sokolovsky - Non-Party Witness Deposition of Leah Forster

Ms. Forster,

I am following up on the email below.

Please advise as to your availability for your continued deposition for February 13, 2024.

Should you have any questions please do not hesitate to contact me at any time.

Troy A. Pacella | Associate Attorney

212.651.7413 Direct | TPacella@SMSM.com

From: Troy A. Pacella
Sent: Tuesday, January 2, 2024 1:33 PM
To: leah forster <lilatunes@gmail.com>
Cc: Darren Sammarco <DSammarco@SMSM.com>; atwersky@twerskylaw.com; jlowe@twerskylaw.com; mguttmann@twerskylaw.com; Lucia Saitta <lucia@jvwlaw.net>; ljames@jvwlaw.net; Carla Varriale-Barker <CVarriale@SMSM.com>
Subject: RE: Sokolovsky - Non-Party Witness Deposition of Leah Forster

Ms. Forster,

I hope this finds you well. I am writing to inquire about your availability for the continuation of your deposition on February 13, 2024. The continued deposition will be scheduled for approximately five hours, excluding any breaks. Therefore, will require a significant portion of your day.

As observed during the previous deposition, there are several documents that you must search for and review. This includes, but is not limited to, receipts from medical providers, records from virtual payment providers (such as Venmo, Chase Quickpay, Apple Pay, Cash App, etc.) and all documents referenced in Exhibit A, which you can find annexed to the subpoena you have received.

Should you have any questions or require clarification regarding the document search or any other aspect of the deposition process, please do not hesitate to reach out to our office.

Troy A. Pacella | Associate Attorney

212.651.7413 Direct | TPacella@SMSM.com

From: Troy A. Pacella

Sent: Tuesday, December 19, 2023 11:00 AM

To: leah forster <lilatunes@gmail.com>

Cc: Carla Varriale-Barker <CVarriale@SMSM.com>; Darren Sammarco <DSammarco@SMSM.com>; atwersky@twerskylaw.com; jlowe@twerskylaw.com; mguttmann@twerskylaw.com; Lucia Saitta <lucia@jvwlaw.net>; ljames@jvwlaw.net

Subject: Sokolovsky - Non-Party Witness Deposition of Leah Forster

Ms. Forster,

I hope this email finds you well.

I am writing to answer your questions about the subpoena and it's Exhibit A. Please search for and produce documents responsive to each paragraph listed within Exhibit A even if you believe you already produced them years ago. Please note that the time frame is through the present, as indicated.

Should you have any questions or need further clarification regarding the items listed within Exhibit A, please do not hesitate to reach out to our office.

Troy A. Pacella

Associate Attorney

212.651.7413 Direct | 212.651.7500 Main

[Bio](#) | TPacella@SMSM.com

777 Third Avenue | Suite 2400 | New York, NY 10017

[SegalMcCambridge.com](#) | [LinkedIn](#) | [Twitter](#)

Austin | Boston | Chicago | Detroit | Fort Lauderdale | Houston | Indianapolis | Jersey City
Los Angeles | New York | Philadelphia | Pittsburgh | San Francisco | St. Louis | Tampa
